

SENATE BILL 700

By Bell

AN ACT to amend Tennessee Code Annotated, Title 68, to
limit certificates of need to licensed healthcare
facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-1602(8), is amended by deleting the existing subdivision in its entirety and by substituting instead the following:

(8) "Health service" means all clinically related services, such as diagnostic, treatment, or rehabilitation services;

SECTION 2. Tennessee Code Annotated, Section 68-11-1602(12), is amended by deleting the subdivision in its entirety and by appropriately redesignating the remaining subdivisions.

SECTION 3. Tennessee Code Annotated, Section 68-11-1603, is amended by deleting the existing section in its entirety and by substituting instead the following:

It is declared to be the public policy of this state that the establishment and modification of institutions and facilities providing health services shall be accomplished in a manner that is orderly, economical, and consistent with the effective development of necessary and adequate means of providing for the health care of the people of this state. To this end, this section shall be equitably applied to all licensed health care entities, regardless of ownership or type, except those owned and operated by the United States government.

SECTION 4. Tennessee Code Annotated, Section 68-11-1607, is amended by deleting subdivisions (a)(4) - (a)(6) in their entireties, by substituting instead the following as a new subdivision (a)(4) while redesignating subsequent subdivisions accordingly:

(4) A change in the location of or the replacement of existing health care institutions or certified facilities providing health services. A change in the location of or the replacement of a home health agency may be exempted from certificate of need requirements by agency rule. The relocation of the principal office of a home health agency or hospice within the same county shall not require a certificate of need;

SECTION 5. Tennessee Code Annotated, Section 68-11-1607(b), is amended by deleting the words “or that constitutes a covered health care service.”

SECTION 6. Tennessee Code Annotated, Section 68-11-1607(i), is amended by deleting the subsection in its entirety.

SECTION 7. Tennessee Code Annotated, Section 68-11-1609(b), is amended by deleting the language: “Until the state health plan is approved and adopted, the agency shall use as guidelines the current criteria and standards adopted by the state health planning and advisory board, and any changes implemented by the planning division pursuant to § 68-11-1625.”

SECTION 8. Tennessee Code Annotated, Section 68-11-1625(d)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(2) To submit the state health plan for comment to the health services and development agency, the department of health, the department of mental health, and the department of intellectual and developmental disabilities, and such other agencies that the planning division may determine;

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.